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September 30, 1999

DOCKETS MANAGEMENT BRANCH (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

RE: **Program Priorities in the Center for Food Safety and Applied Nutrition
Request for Comments [Docket No. 98N-0359]**

Dear Acting Associate Commissioner Dotzel:

ConAgra, Inc. is a multinational food company which manufactures and distributes a wide variety of food-related products, from "field to table", including branded and non-branded packaged consumer foods, throughout the United States and the world. ConAgra employs over 83,000 people, with annual sales in excess of \$24 billion. ConAgra is, therefore, deeply and directly affected by FDA's policies and activities.

There are two issues that ConAgra would encourage FDA to consider as "A" list priorities for calendar 2000. First, with respect to food safety initiatives, we strongly encourage the FDA to finalize approval and regulations related to the irradiation of food products. Second, with respect to FDA's Nutrition, Health Claims and Labeling priority program, we encourage FDA to draft, publish and finalize rulemaking regarding the second tier sodium level for food products labeled "healthy".

A. *Irradiation*

While debate regarding irradiation has been intense, the benefits of irradiation with respect to killing food-borne pathogens is unquestioned by the scientific community. ConAgra agrees with Senators Lugar and Harkin in their September 21 urging of FDA to work with USDA to approve irradiation for all types of food products, and harmonize regulations in order to streamline the review processes. Irradiation should be a top priority for FDA now, and in 2000.

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B. *Nutritional Labeling*

In April of 1997, ConAgra filed a Citizen's Petition requesting FDA to reconsider its "Second Tier" sodium level for products labeled "healthy". Because ConAgra sells over \$1.5 billion HEALTHY CHOICE products each year, with over 300 SKU's in 13 areas of the grocery store, this is an important issue for the Company.

But it is also an important issue for the consumer. As noted in the Petition and numerous documents submitted since, HEALTHY CHOICE still remains the lowest sodium, low fat product line sold nationally. To lower the levels even further will be to drive these products off the shelf due to taste issues (and with a number of products, manufacturing and shelf life issues), and the consumers are left with *higher* sodium levels than are currently available with HEALTHY CHOICE products.

FDA and USDA have extended the time with which we have to modify these products to January 1, 2003. While this seems like a long way off – it is not when one considers the time to reformulate (if it is even possible), test, re-label, manufacture and distribute. Canned tomato products and soups, for example, need to be labeled 12 to 18 months in advance of the anticipated sell date.

FDA has promised it will take another critical look at the science and at the manufacturing issues ConAgra and others provided in response to its December, 1997 ANPR. ConAgra and other companies providing or desiring to provide "healthy" foods to consumers need to be free of this restraint in order to invest time and resources into developing new "healthy" product choices for consumers, instead of wasting resources on an impossible and unnecessarily low goal. Therefore, we strongly encourage FDA to make the "healthy" sodium issue an "A" list priority for next year.

Thank you for this opportunity to propose these matters to FDA. We are available to discuss these and any other potential priorities with FDA at your convenience.

Yours very truly,

A handwritten signature in black ink that reads "Brent Baglien". The signature is written in a cursive, slightly slanted style.

BRENT BAGLIEN

Vice President, Government Affairs